

REMARKS

Claims 1, 3, 4, 6, 7 and 9-34 are pending in the application. Claims 1, 3-4, 6-7 and 9-34 stand rejected under 35 USC § 103(a) as being unpatentable over Nagasaka et al. ("Nagasaka" U.S. Patent 6,697,090 B1) in view of Fredlund et al. ("Fredlund", U.S. Patent 5,666,215) and Jackson et al. ("Jackson", U.S. Publication 2002/0105658 A1) and Umebayashi ("Umebayashi", U.S. Patent 6,515,765).

By this Amendment, Applicant hereby amends claims 1, 4, 7, 10, 11, 12, 28, 30, and 32 and are canceling claims 3, 6 and 9. Applicant hereby requests that these amendments be considered and entered, as the amendments cover subject matter previously considered by the Examiner.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 1, 3-4, 6-7 and 9-34 stand rejected under 35 USC § 103(a) as being unpatentable over Nagasaka et al. ("Nagasaka" U.S. Patent 6,697,090 B1) in view of Fredlund et al. ("Fredlund", U.S. Patent 5,666,215) and Jackson et al. ("Jackson", U.S. Publication 2002/0105658 A1) and Umebayashi ("Umebayashi", U.S. Patent 6,515,765).

Applicant respectfully submits that the rejection is not supportable. As previously discussed, Nagasaka allows the icon of a camera to be dragged to the icon of a printer. To the extent that the printer can be construed as a data management unit, including a registration function, the opening of the printer icon does not provide the simple output of display of order content as described by claim 1. The Examiner appears to concede this in the first partial paragraph of page 3 of the detailed action. The Examiner's parenthetical comment about the use

of an intermediate device being an input or output device does not assist the rejection for at least two reasons. The discussion of the intermediate device is merely for purposes of how a first category of devices associates with a second. See col. 2, lines 3-18 and col. 3, line 66-col. 4, line 3. At no point does Nagasaka contemplate dragging and dropping an icon onto “itself” as such an operation is both impossible and offers no useful result.

As the Examiner apparently recognized the impropriety of a rejection based on the “intermediate” device, the Examiner then cites Fredlund. The cited portion of Fredlund shows how a thumbnail may be enlarged is a display area 56. However, it is clear that the area 56 cannot be “opened” to display a simple output of plural thumbnails. This is because the large display was already derived from a selection of thumbnails. Even assuming, *arguendo*, that work area 56 corresponds to an icon of a management unit, it would defeat the purpose of displaying the large image as a thumbnail as claimed because this would be circular in its operation and nonsensical. In effect, the Examiner’s attempted combination teaches away from the simple output of a thumbnail display as described by claim 1. Since the Examiner appears to concede that cumulative image data is shown by FIG. 6b of Nagasaka, the further combination with the thumbnail display of Jackson also creates useless redundancy. The circular reason for combination and resulting redundancies demonstrate multiple use of improper hindsight to reject the claims.

Further, though the Examiner newly cites Umebayashi to teach a quantity order for thumbnails, there is no such quantity order or numeric designation for the order. See FIG. 18 of Umebayashi. The print column, indicated by an asterisk, does not accept quantity. The sheet number of FIG. 18 merely corresponds to a page source.

Additionally, the subject matter of claim 3 has been written into claim 1. Specifically, amended claim 1 recites, “displaying on the display, in the case where a plurality of sets of the image data have been registered with the data management unit, an order screen for all the image data sets together with the thumbnail images thereof.” None of the prior art references discloses displaying an order screen for all of a plurality of sets of data together with thumbnail images thereof. The applied art, at best, discloses either displaying a plurality of image data sets or displaying the thumbnails of a single image data set, but not both together. Therefore, claim 1 as amended is patentable over the applied art.

Moreover, claim 1 recites “displaying input fields for inputting print quantities corresponding to the thumbnail image or the thumbnail images.” The Examiner alleges that the proposed combination discloses this aspect of claim 1. However, on page 5 of the Office Action, the Examiner concedes that Nagasaka, Jackson and Fredlund fail to disclose this aspect of claim 1. The Examiner alleges that Umebayashi discloses this aspect of claim 1, but while disclosing an image data management means, Umebayashi fails to disclose displaying input fields as recited in claim 1.

Therefore, claim 1 is patentable for all of the above reasons. Claims 4, 7, 28, 30 and 32 are patentable for analogous reasons.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No.: 10/085,125

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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